

WRITTEN REPRESENTATIONS TO THE APPEAL OFFICER Dear Appeal Officer Re: Little Gorsty Hill – Representation in Support of the Planning Committee’s Refusal of Application for Three Detached Dwellings (Part Retrospective) I am submitting this representation in support of the planning committee’s decision to refuse this application. My comments are based on factual matters relating to the planning history, lawful use, policy compliance and the evidence available.

1. Unauthorised Demolition and Lack of Enforcement The buildings on site were demolished between May and October prior to any planning permission being granted. This is a matter of record. • No enforcement action had been taken before the committee meeting. • Email evidence exists confirming that works were reported during this period. • The demolition removed the physical evidence required to assess the buildings’ condition, lawful use, and potential for reuse. • As a result, neither officers nor committee members were able to view the buildings before they were removed. • Staffordshire Wildlife Trust had a holding objection at the time demolition and groundworks commenced. These factors are material to the assessment of lawful use, abandonment, and PDL status.

2. Employment Land Loss – Policy E3 Policy E3 of the SMDC Local Plan requires applicants to demonstrate that employment sites are no longer viable, typically through marketing evidence. • No marketing evidence was submitted. • Paragraph 7.38 of the Local Plan expects applicants to demonstrate non viability. • No viability assessment was provided. If the site is considered to have been commercial, the requirements of Policy E3 should be applied.

3. Previously Developed Land (PDL) – Classification Not Established The officer’s report relied on the site being PDL. However: • The statutory declaration states commercial use ceased in 2014. • No Certificate of Lawfulness or planning permission exists confirming lawful commercial use. • The statutory declaration contains internal contradictions (see Section 4). • The buildings have been demolished, so no physical evidence remains to assess their lawful use. • If the lawful use was agricultural or residential, the site would not meet the NPPF definition of PDL. The site was not listed on the Brownfield Register up to October 2025.

4. Statutory Declaration – Contradictions and Missing Evidence The statutory declaration contains information that is inconsistent with publicly available records: • It states Crowpin Engineers Ltd operated until 2014/15, but Companies House records show the company dissolved in 1993. • It states the business was “handed over” in 2003, but no legal or operational capacity is specified. • No company records can be found for any business operating on the site after 1993. • No lease agreements, accounts, or documentation confirming lawful occupation have been provided. • A bank statement showing rent does not confirm the nature of the use. • Business rates were reportedly paid until 2014, but no evidence has been provided identifying the liable party or the floor area assessed. • No affidavit or statutory declaration has been provided by the individual said to have operated the site from 2003–2014. These issues are relevant to determining lawful use, continuity of use, and whether the site qualifies as PDL.

5. Highways – Assessment Based on Out of Date or Unverified Use The Highways Authority assessment relied on historic commercial use that: • ceased over 10 years ago, • has not been evidenced through planning records, • is contradicted by Companies House information. The planning officer described the lane as: • “not well located”, • “a narrow country lane”, • with “restricted visibility”. Additional factual characteristics include: • no pavements, • no street lighting, • 60mph speed limit, • regular use by pedestrians, cyclists, horse riders, and disabled residents. No mitigation measures were proposed. The comparison between three dwellings and an unverified historic industrial use is not supported by documented evidence.

6. Environmental Health – Lack of Evidence of Compliance Environmental Health recommended conditions relating to: • asbestos surveys, • contamination assessment, • demolition safety, • soil testing. However: • No asbestos survey has been evidenced. • No soil testing has been evidenced. • Drone footage indicates materials

may have been crushed and buried on site. • The site was registered with the HSE as a construction site on 26 September 2025, although works were reported from May 2025. These matters are relevant to public health and land contamination considerations.

7. Sustainability The proposal does not include: • solar panels, • heat pumps, • biodiversity enhancements, • sustainable drainage, • contributions to highway safety. This does not align with NPPF Paragraph 7 or the sustainability objectives of the Local Plan.

8. Site Area and Paddocks The application states the site area is 0.22 hectares. However, each dwelling includes paddocks. No assurance has been provided that these paddocks will remain agricultural, raising concerns about incremental residential expansion.

9. Abandonment The officer's report acknowledges: • over 10 years of non use, • removal of 3 phase electricity, • cessation of business rates, • no evidence of any use since 2014. The buildings have been demolished, meaning any former use cannot continue. These factors are relevant to the legal test for abandonment.

10. Spatial Strategy – Policy SS10 The site is within "Other Rural Areas". Policy SS10 requires: • essential need, • sustainability, • access to services, • compliance with other policies. The proposal does not meet these criteria and is not associated with agriculture, rural enterprise, or tourism.

11. Planning Balance The following material considerations were not fully addressed in the officer's recommendation: • unsustainable location, • lawful use and abandonment, • demolition prior to permission, • environmental health risks, • highways safety, • conflicts with SS1, SS2, SS10, E3, T1, • neighbourhood plan considerations, • number of neighbour objections.

Conclusion I respectfully request that the appeal considers: • whether the commercial use was lawful, continuous, or abandoned, • whether the site meets the definition of PDL, • whether the proposal complies with the Local Plan and NPPF, • the implications of demolition prior to permission, • the absence of evidence relating to environmental health and highways. I am willing to provide further factual evidence, including correspondence and drone footage, if required. AI has been used to consolidate my notes and ensure compliance. Notes and further supporting evidence can be supplied upon request